

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

UNITED STATES OF AMERICA	§	
	§	
VS.	§	CR. NO. 4:17-cr-00737-1
	§	
KAAN SERCAN DAMLARKAYA	§	

SECOND UNOPPOSED MOTION TO CONTINUE SENTENCING
AND TO ENTER A NEW SCHEDULING ORDER

TO THE HONORABLE ANDREW S. HANEN, UNITED STATES DISTRICT
JUDGE FOR THE SOUTHERN DISTRICT OF TEXAS, HOUSTON DIVISION:

NOW COMES, Defendant, KAAN SERCAN DAMLARKAYA, in the above-
captioned matter, by and through his undersigned counsel, respectfully moves this
Honorable Court to continue the sentencing and to enter a new scheduling order in his
case and for good cause would show as follows:

I.

The initial Presentence Investigation Report in this case was received on August
22, 2019. The initial sentencing date was September 30, 2019. Counsel filed an
Unopposed Motion for Continuance which was granted on September 24, 2019. The
sentencing date in this case is currently scheduled for January 6, 2020.

II.

Counsel for Defendant requests a continuance for the following reasons: (1)
Counsel needs more time to prepare for sentencing as we continue to gather mitigation

material for the court to take into consideration. (2) Counsel has been preparing for numerous trial settings, sentencings and hearings and needs additional time to finalizing the memorandum in this case. Counsel was set for and extensively prepared for a competency hearing held on December 18, 2019 in Montgomery County, Texas: *State of Texas vs. Brandon Tyer*; Cause No 's: 16-08-09722, 16-08-09724, 16-08-09726, 17-02-02139. Counsel is set for trial on January 10, 2020 in Harris County, Texas: *State of Texas vs. Bao-Son Pham*; Cause No 's: 1565256 and 1565265, counsel is also set for trial on January 17, 2020 in Harris County, Texas: *State of Texas vs. Eleno Garza*; Cause No. 1581422. (3) Counsel has a pre-planned family holiday vacation starting on December 22, 2019 through December 29, 2019.

III.

Assistant United States Attorney's Alamdar Hamdani and Arthur Jones are unopposed to the continuance.

IV.

This motion for continuance is not made for purposes of delay, but that justice may be done. For all the foregoing reasons, counsel for defendant requests a continuance of the sentencing for at least ninety (90) days in this case.

Respectfully submitted,



GARY TABAKMAN
TBA No. 24076065
Federal ID No. 1305623
Old Fannin Building
3515 Fannin Street.
Houston, Texas
Telephone: (713)526-6300
Facsimile: (713)808-9444
Email: Gary@GTLawfirm.com

Attorney for Defendant,
KAAN SERCAN DAMLARKAYA

CERTIFICATE OF CONFERENCE

On December 20, 2019, counsel for Defendant conferred with AUSA's, Alamdar Hamdani and Arthur Jones concerning their position on this Unopposed Motion to Continue Sentencing. They are both unopposed.



GARY TABAKMAN

CERTIFICATE OF SERVICE

I hereby certify that on December 20, 2019, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all parties.



GARY TABAKMAN